

## PATENT COOPERATION TREATY

## PCT

REC'D 30 MAR 2006

WIPO

PCT

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference Case: 4197 PCT		FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/SE2004/001917	International filing date (day/month/year) 20-12-2004	Priority date (day/month/year) 22-12-2003	
International Patent Classification (IPC) or national classification and IPC See Supplemental Box			
Applicant Nobel Biocare AB (publ) et al			

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising:
- a. ☐ (sent to the applicant and to the International Bureau) a total of \_\_\_\_\_ sheets, as follows:
- ☐ sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).
- ☐ sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.
- b. ☐ (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) \_\_\_\_\_, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).

4. This report contains indications relating to the following items:

- |                                     |              |   |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I    | Basis of the report   |
| <input type="checkbox"/>            | Box No. II   | Priority  |
| <input type="checkbox"/>            | Box No. III  | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability  |
| <input type="checkbox"/>            | Box No. IV   | Lack of unity of invention  |
| <input checked="" type="checkbox"/> | Box No. V    | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/>            | Box No. VI   | Certain documents cited   |
| <input type="checkbox"/>            | Box No. VII  | Certain defects in the international application  |
| <input type="checkbox"/>            | Box No. VIII | Certain observations on the international application   |

Date of submission of the demand  04-07-2005	Date of completion of this report  24-03-2006
Name and mailing address of the IPEA/SE Patent- och registreringsverket Box 5055 S-102 42 STOCKHOLM Facsimile No. +46 8 667 72 88	Authorized officer  Leif Brander/EK Telephone No. +46 8 782 25 00

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001917

**Supplemental Box**

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Cover sheet

**International patent classification (IPC)**

**A61C 8/00 (2006.01)**

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001917

## Box No. I Basis of the report

1. With regard to the **language**, this report is based on:

the international application in the language in which it was filed

a translation of the international application into \_\_\_\_\_,  
which is the language of a translation furnished for the purposes of:

international search (Rules 12.3(a) and 23.1(b))



publication of the international application (Rule 12.4(a))



international preliminary examination (Rules 55.2(a) and/or 55.3(a))

2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

the international application as originally filed/furnished



the description:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_



the claims:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_



the drawings:

pages \_\_\_\_\_ as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_



a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_



the claims, Nos. \_\_\_\_\_



the drawings, sheets/figs \_\_\_\_\_

the sequence listing (*specify*): \_\_\_\_\_any table(s) related to the sequence listing (*specify*): \_\_\_\_\_4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_



the claims, Nos. \_\_\_\_\_



the drawings, sheets/figs \_\_\_\_\_

the sequence listing (*specify*): \_\_\_\_\_any table(s) related to the sequence listing (*specify*): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/SE2004/001917

**Box No. V** Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

Novelty (N)	Claims		YES
	Claims	<u>1-16</u>	NO
Inventive step (IS)	Claims		YES
	Claims	<u>1-16</u>	NO
Industrial applicability (IA)	Claims	<u>1-16</u>	YES
	Claims		NO

## 2. Citations and explanations (Rule 70.7)

Cited document of particular relevance:

D1: WO 03013383 A1

D1 shows an implant, which is exposed to impinging forces in a jaw bone, according to the preamble of claim 1. The implant comprises peripherally extending surfaces (162, 172, 181, figures 16-18) which can be placed against a jaw bone part. Each surface is provided with a pattern of grooves (160, 170, 180), which extend substantially at right angles to, and if appropriate parallel to, said forces when these assume principal directions differing from the longitudinal direction of the implant.

The implant according to claim 1 therefore is known from D1. Consequently, the invention defined in claim 1 lacks novelty and inventive step.

The arrangements according to claims 2-16 are also previous known from D1. Consequently, claims 2-16 also lack novelty and inventive step.

The invention is considered to be industrially applicable.